

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
v.                             ) Crim. No. 07-026-SLR  
                                )  
EARL N. WALLACE,           )  
                                )  
Defendant.                 )

**O R D E R**

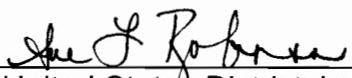
At Wilmington this 14<sup>th</sup> day of November, 2007, having considered plaintiff's motion for leave to file supplemental briefing on the elements required under 26 U.S.C. § 5861(i);

IT IS ORDERED that:

1. Said motion (D.I. 31) is granted. Plaintiff shall file its supplemental brief on or before December 14, 2007. Defendant shall file his supplemental brief on or before January 14, 2008.
2. The jury trial scheduled to commence on Monday, November 19, 2007 is cancelled.

IT IS FURTHER ORDERED that the time between this order and the issuance of the court's decision on the jury instruction issue shall be excluded under the Speedy Trial Act, the court concluding that the ends of justice served by the delay outweigh the

best interest of the public and the defendant in a speedy trial.<sup>1</sup> 18 U.S.C. § 3161(h).

  
\_\_\_\_\_  
United States District Judge

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<sup>1</sup>Specifically, the absence of controlling precedent from the United States Court of Appeals for the Third Circuit and the dispositive nature of the issue mandate additional briefing by the parties. (D.I. 31)